

## **OHIO FIRE CODE**

### **(G) Section 307 Open burning, recreational fires and portable outdoor fireplaces**

(1) 307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this paragraph.

(a) 307.1.1 Prohibited open burning. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

(2) 307.2 Permit required. A permit shall be obtained from the fire code official in accordance with rule [1301:7-7-01](#) of the Administrative Code prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

(a) 307.2.1 Authorization. Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

(3) 307.3 Extinguishment authority. The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

(4) 307.4 Location. The location for open burning shall not be less than 50 feet (15 240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240 mm) of any structure.

#### **Exceptions:**

1. Fire in approved containers that are not less than 15 feet (4572 mm) from a structure.

2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

(a) 307.4.1 Bonfires. A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition.

(b) 307.4.2 Recreational fires. Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

(c) 307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one-and two-family dwellings.

(5) 307.5 Attendance. Opening burning, bonfires, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with paragraph (F)(906) of rule [1301:7-7-09](#) of the Administrative Code with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

## **WILLOUGHBY HILLS FIRE CODE**

### **1503.01 GENERAL PROHIBITION.**

(a) The following open fires in accordance with the Ohio EPA are allowed in the City of Willoughby Hills:

<b>TYPE OF FIRE</b>	<b>RESTRICTIONS</b>
Recreation, Barbeques, Campfires, Cookouts	Wood stack no larger than 2 ft. high x 3 ft. wide. Use clean, seasoned firewood or equivalent.
Agricultural Waste  A permit shall be obtained from the Office of the Fire Chief, prior to notification of the Lake County Health District (LCHD)	Agricultural wastes and plant matter such as tree trimmings, stumps, brush, weeds, leaves, grass, shrubbery and material from crop or livestock production. This includes fence posts and scrap lumber, but not buildings. Fire must be more than 1,000 feet from neighbor's inhabited building.  Must notify Lake County Health District (LCHD) in advance.
LAND-CLEARING WASTE	NOT PERMITTED IN CITY LIMITS
RESIDENTIAL WASTE	NOT PERMITTED IN CITY LIMITS

<b>TYPE OF FIRE</b>	<b>RESTRICTIONS</b>
Ceremonial Fires, Bon Fires, Large Cooking Fires, (i.e. pig roast, etc.) A permit shall be obtained from the Office of the Fire Chief, prior to notification of the Lake County Health District (LCHD).	Wood stack no larger than 5 ft. high x 5 ft. wide. Use clean, seasoned firewood or equivalent. Must notify Lake County Health District (LCHD) in advance.
Occupational Fires: Welding Torches, Heating Tar, Heating for Warmth of Outdoor Workers and Strikers	For "occupational fires" use clean seasoned firewood contained in a 55-gallon drum.

<p>Firefighter Training, Explosive Material Disposal</p> <p>A permit shall be obtained from the Office of the Fire Chief, prior to notification of the Lake County Health District (LCHD).</p>	<p>With prior written permission from Lake County Health District (LCHD). This may take two (2) weeks.</p>
<p>Horticultural, Silvicultural, Range or Wildlife Management Practices</p> <p>A permit shall be obtained from the Office of the Fire Chief, prior to notification of the Lake County Health District (LCHD).</p>	<p>With prior written permission from Lake County Health District (LCHD). This may take two (2) weeks.</p>
<p>Disease or Pest Control</p> <p>A permit shall be obtained from the Office of the Fire Chief, prior to notification of the Lake County Health District (LCHD).</p>	<p>Local Health Department, the Ohio Department of Agriculture or the U.S. Department of Agriculture verifies to Ohio EPA that open burning is the only appropriate control method and must notify Lake County Health District (LCHD) in advance.</p>
<p>“Silviculture” is the art and science of controlling the establishment, growth, composition, health, and quality of forests to meet diverse needs and values of the many landowners, societies and cultures over the parts of the globe that are covered by dry land.</p>	
<p>NOTE: Section <a href="#">1503.02</a> allows the Fire Department to order any fire to be extinguished.</p>	

- (b) The following materials may not be burned in the Municipality at any time. These are:
- (1) Materials containing rubber, grease, and asphalt or made from petroleum, such as tires, cars and auto parts, plastics, or plastic-coated wire;
  - (2) Garbage – any wastes created in the process of handling, preparing, cooking, or consumption of food
  - (c) Open burning is not allowed during times when air pollution warnings, alerts or emergencies are in effect.
  - (d) Fires may not obscure visibility for roadways or airfields.
- (Ord. 2008-75. Passed 10-9-08.)

#### **1503.04 PROHIBITION OF FIRES IN MULTIPLE DWELLINGS.**

No person, tenant or leaseholder shall kindle or maintain a fire to be used for the preparation of food, or for any other purpose, in any type of outdoor or portable grill in any apartment or on or below any apartment house balcony, or within twenty feet of any structure housing more than two families.

(Ord. 2002-39. Passed 3-28-02.)

## **QUICK REFERENCE**

### **WH Fire Code:**

"Recreational Fires" Only open burning allowed is for Recreation, Barbeque, Campfires, and Cookouts. Clean, seasoned firewood, stacked no more than 2ft high, 3ft across.

"Occupational Fires" Only clean seasoned firewood in 55 gal. drum

Fire Chief may disallow exceptions.

Two or more violations for excessive smoke or obnoxious odor- exceptions do not apply

Agricultural waste, FF training, Horticulture, Disease Prevention- by WHFD and LCGHD permit only.

Large cooking or ceremonial bonfires- by WHFD/LCGHD permit and/or notification only.

No burning of land clearing material or residential waste.

No burning during pollution alerts or warnings.

No grilling or open flames on 2+ family dwelling balconies or within 20 feet of building.

### **Ohio Fire Code:**

Bonfire or permit open burn- no less than 50 feet from structure

Recreational fire- no less than 25 feet from structure

Portable outdoor fireplace- no less than 15 feet from structure

All-

Must be attended at all times.

Must have means in place to prevent spreading (fire extinguisher, dirt, hose, water bucket, etc.)

Cannot produce excessive smoke or obnoxious odors

FD may order extinguishment if deemed hazardous